



October 29, 2013

Ms. Erin Fanning  
Forward Inc. Landfill  
9999 South Autin Road  
Manteca, CA 95336

**Re: Proposed Authority to Construct/Certificate of Conformity (Minor Mod)**  
**District Facility # N-339**  
**Project # N-1132927**

Dear Ms. Fanning:

Enclosed for your review is the District's analysis of an application for Authority to Construct for the facility identified above. You requested that a Certificate of Conformity with the procedural requirements of 40 CFR Part 70 be issued with this project. This project is to modify the existing non-retail motor vehicle gasoline dispensing operation to upgrade the Phase I vapor recovery system from Two-Point to Morrison Brothers Enhanced Vapor Recovery (EVR) System executive order (VR-402).

After addressing all comments made during the 45-day EPA comment period, the District intends to issue the Authority to Construct with a Certificate of Conformity. Prior to operating with modifications authorized by the Authority to Construct, the facility must submit an application to modify the Title V permit as an administrative amendment, in accordance with District Rule 2520, Section 11.5.

If you have any questions, please contact Mr. Rupi Gill, Permit Services Manager, at (209) 557-6400.

**Seyed Sadredin**  
Executive Director/Air Pollution Control Officer

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**Northern Region**  
4800 Enterprise Way  
Modesto, CA 95356-8718  
Tel: (209) 557-6400 FAX: (209) 557-6475

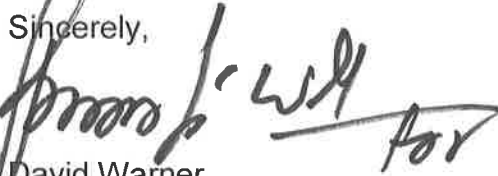
**Central Region (Main Office)**  
1990 E. Gettysburg Avenue  
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**Southern Region**  
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Bakersfield, CA 93308-9725  
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Ms. Erin Fanning  
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Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "David Warner", with a stylized flourish extending to the right.

David Warner  
Director of Permit Services

Enclosures

cc: Gerardo C. Rios, EPA (w/enclosure) via email

Richard Hamilton  
Donlee Pump Company  
2825 Railroad Avenue  
Ceres, CA 95307

# San Joaquin Valley Air Pollution Control District

## Authority to Construct Application Review

### *Motor Vehicle Gasoline Dispensing Facility (Non-Retail)*

Facility Name:	Forward Inc. Landfill	Date:	October 10, 2013
Mailing Address:	9999 South Austin Road Manteca, CA 95336	Engineer:	Wai-Man So
Contact Person:	Richard Hamilton (Consultant)	Lead Engineer:	Nick Peirce
Telephone:	(209) 537 – 9396	Erin Fanning ( Manager)	(209) 982 – 4298
Fax:	(209) 537 – 9398		(209) 982 – 1009
Email:	<a href="mailto:richh@donleerpump.com">richh@donleerpump.com</a>		<a href="mailto:efanning@republicservices.com">efanning@republicservices.com</a>
Application #(s):	N-339-9-3		
Project #:	N-1132927		
Deemed Complete:	September 26, 2013		

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#### **I. Proposal**

Donlee Pump Company on behalf of Forward Inc. Landfill (hereinafter Forward) is requesting an Authority to Construct (ATC) to modify the existing non-retail motor vehicle gasoline dispensing operation. The applicant proposed to meet Enhanced Vapor Recovery (EVR) requirements by upgrading Phase I vapor recovery system from Two-Point to Morrison Brothers EVR (VR-402).

In addition, per inspection conducted on June 4, 2013, the area inspector has verified that the existing 500 gallon ConVault aboveground storage tank (AST) is currently equipped with a Husky 5885 Pressure/Vacuum Vent Valve, and the AST has been painted to meet the Standing Loss (ST) control requirements in accordance with Executive Order (VR-301).

The proposed modification is solely to comply with upcoming States' Enhanced Vapor Recovery System requirements for Aboveground Storage Tank. There will not be an increase in potential emissions of any pollutant as a result of this project.

Forward possesses a Title V permit. The proposed modification is a Minor Modification to the Title V permit. The applicant has requested to issue the ATC with a Certificate of Conformity (COC), which is EPA's 45-day review of the project prior to the issuance of the final ATC. Forward must apply to modify their Title V permit with an administrative amendment, prior to operating with the proposed modification.

## II. Applicable Rules

District Rule 2201 New and Modified Stationary Source Review Rule (04/21/11)  
District Rule 2410 Prevention of Significant Deterioration (effective 11/26/12)  
District Rule 2520 Federally Mandated Operating Permits (06/21/01)  
District Rule 4102 Nuisance (12/17/92)  
District Rule 4621 Gasoline Transfer into Stationary Storage Containers, Delivery Vessels and Bulk Plants (12/20/07)  
District Rule 4622 Transfer of Gasoline into Vehicle Tanks (12/20/07)  
CH&SC 42301.6 School Notice  
Public Resources Code 21000-21177: California Environmental Quality Act (CEQA)  
California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387: CEQA Guidelines

## III. Project Location

The equipment is located at 9999 South Austin Road in Manteca, California. There is no increase in emissions as a result of this project. Therefore, the public notification requirement of California Health and Safety Code 42301.6 is not applicable to this project.

## IV. Process Description

Gasoline is delivered to the storage tank via a delivery vessel. Gasoline is then dispensed from the storage tank into motor vehicle tanks during vehicle refueling.

## V. Equipment Listing

### ***Pre-Project Equipment Description:***

GASOLINE DISPENSING OPERATION WITH ONE 500 GALLON ABOVE GROUND GASOLINE STORAGE TANK SERVED BY TWO-POINT PHASE I VAPOR RECOVERY SYSTEM (G-70-102-A), AND 1 FUELING POINT WITH 1 PHASE II EXEMPT GASOLINE DISPENSING NOZZLE

### ***Post-Project Equipment Description:***

GASOLINE DISPENSING OPERATION WITH ONE 500 GALLON CONVAULT ABOVEGROUND STORAGE TANK SERVED BY MORRISON BROS EVR PHASE I VAPOR RECOVERY SYSTEM (VR-402-B), STANDING LOSS CONTROL (VR-301-E), AND 1 FUELING POINT WITH 1 PHASE II EXEMPT GASOLINE DISPENSING NOZZLE

## VI. Emission Control Technology Evaluation

The motor vehicle refueling operation will use Air Resources Board (ARB) certified Phase I vapor recovery system designed to reduce VOC emission by at least 95% during storage tank filling.

## VII. Calculations

### A. Assumptions

- VOC is the only pollutant emitted from this operation.
- This facility may operate 24 hours per day, 365 days per year.
- The daily potential emissions are calculated based on a gasoline throughput of 500 gallons per day, which is one tank turnover every day (worst case).
- Total gasoline throughput for the facility is less than 10,000 gallons in any consecutive 30-day period or less than 24,000 gallons per calendar year (current PTO limit for Phase II exemption).
- The annual VOC emissions are calculated based on the annual throughput of 24,000 gallons per year.

### B. Emission Factors

The following emission factors were obtained from Appendix A - Emission Factors for Gasoline Stations published by CAPCOA Air Toxic "Hot Spots" Program in the Gasoline Service Station Industry wide Risk Assessment Guidelines dated December 1997.

VOC Emission Factors	
Emission Source	Emission Factor (lb/1,000 gal)
Tank filling loss (95%)	0.42
Breathing Loss (A/G tank)	0.053
Vehicle fueling loss (uncontrolled)	8.4
Spillage	0.61
Total VOC Losses	9.483

The emission factor (in lb-VOC/FP-day) for the gasoline dispensing is calculated as follows:

$$\begin{aligned}\text{EF (lb-VOC/FP)} &= (9.483 \text{ lb-VOC/1,000 gal}) \times (1,800 \text{ gal/FP-day}) \\ &= 17.07 \text{ lb-VOC/FP-day}\end{aligned}$$

### C. Potential to Emit (PE)

#### 1. Daily and Annual PE

##### *Pre-Project Potential to Emit (PE1) & Post-Project Potential to Emit (PE2)*

Daily PE calculation:

VOC (lb/day) = 1 Tank turn over (gal/day) x 9.483 (lb-VOC/1,000 gal)

VOC (lb/day) = 500 (gal/day) x 9.483 (lb-VOC/1,000 gal) = 4.74 lb-VOC/day

Annual PE calculation:

VOC (lb/yr) = Annual throughput (gal/yr) x 9.483 (lb-VOC/1,000 gal)

VOC (lb/yr) = 24,000 (gal/yr) x 9.483 (lb-VOC/1,000 gal) = 228 lb-VOC/yr

For this unit, both daily and annual potential emissions are listed in the table below.

Pollutant	Potential Emissions (PE)	
	Daily PE (lb/day)	Annual PE (lb/year)
VOC	4.7	228

#### 2. Quarterly Emissions Changes

The Quarterly Emissions Changes (QEC) is calculated for each pollutant, for each unit, as the difference between the quarterly PE2 and the quarterly baseline emissions (BE). The annual emissions are evenly distributed throughout each quarter using the following equation:

$$\text{QEC (lb/quarter)} = [\text{Annual PE2} - \text{Annual PE1}] (\text{lb/year}) / 4 (\text{quarter/year})$$

Pollutant	Quarterly Emission Changes (QEC)			
	1 <sup>st</sup> Quarter (lb/quarter)	2 <sup>nd</sup> Quarter (lb/quarter)	3 <sup>rd</sup> Quarter (lb/quarter)	4 <sup>th</sup> Quarter (lb/quarter)
VOC	0	0	0	0

#### 3. Adjusted Increase in Permitted Emissions (AIPE)

AIPE is used to determine if Best Available Control Technology (BACT) is required for emission units that are being modified. AIPE shall be calculated utilize equations listed in this Rule Section 4.3 and 4.4 as follows:

$$\text{AIPE} = \text{PE2} - \text{HAPE}$$

Where,

AIPE = Adjusted Increase in Permitted Emissions, pounds per day

PE2 = the emissions units post project Potential to Emit, pounds per day

HAPE = the emissions unit's Historically Adjusted Potential to Emit, pounds per day

$$HAPE = PE1 \times (EF2/EF1)$$

Where,

PE1 = the emissions unit's Potential to Emit prior to modification or relocation

EF2 = the emissions unit's permitted emission factor for the pollutant after modification or relocation. If EF2 is greater than EF1 then EF2/EF1 shall be set to 1.

EF1 = the emissions unit's permitted emission factor for the pollutant before the modification or relocation.

Then,

$$AIPE = PE2 - [PE1 \times (EF2/EF1)]$$

$$AIPE \text{ VOC} = 4.7 - [4.7 \times (9.483/9.483)] = 0.0 \text{ lb-VOC/day}$$

## D. Facility Emissions

### 1. Pre-Project Stationary Source Potential to Emit (SSPE1)

Pursuant to District Rule 2201, §4.9, the Pre-Project Stationary Source Potential to Emit (SSPE1) is the Potential to Emit (PE) from all units with valid Authorities to Construct (ATC) or Permits to Operate (PTO) at the Stationary Source and the quantity of emission reduction credits (ERC) which have been banked since September 19, 1991 for Actual Emissions Reductions that have occurred at the source, and which have not been used on-site.

Except equipment is modified under this project, SSPE2 values are taken from engineering evaluations N-1123241 and N-1123549.

Permit Number	Pollutants (lb/yr)				
	NO <sub>x</sub>	SO <sub>x</sub>	PM <sub>10</sub>	CO	VOC
N-339-1-2	0	0	7,300	0	0
N-339-9-2	0	0	0	0	228
N-339-15-2	0	0	0	0	183
N-339-16-2	0	0	0	0	3,614
N-339-17-13	70,956	30,511	62,411	283,824	42,736
SSPE1	70,956	30,511	69,711	283,824	46,761
Major Source Threshold Level	20,000	140,000	140,000	200,000	20,000
Existing Major Source?	Yes	No	No	Yes	Yes

### 2. Post-Project Stationary Source Potential to Emit (SSPE2)

Pursuant to District Rule 2201, §4.10 the Post-Project Stationary Source Potential to Emit (SSPE2) is the Potential to Emit (PE) from all units with valid Authorities to Construct (ATC) or Permits to Operate (PTO) at the Stationary Source and the quantity of emission reduction credits (ERC) which have been banked since September 19, 1991 for Actual Emissions Reductions that have occurred at the source, and which have not been used on-site.

Permit Number	Pollutants (lb/yr)				
	NO <sub>x</sub>	SO <sub>x</sub>	PM <sub>10</sub>	CO	VOC
N-339-1-2	0	0	7,300	0	0
ATC N-339-9-3	0	0	0	0	228
N-339-15-2	0	0	0	0	183
N-339-16-2	0	0	0	0	3,614
N-339-17-13	70,956	30,511	62,411	283,824	42,736
SSPE2	70,956	30,511	69,711	283,824	46,761
Major Source Threshold Level	20,000	140,000	140,000	200,000	20,000
Major Source?	Yes	No	No	Yes	Yes

### 3. Stationary Source Increase in Permitted Emissions (SSIPE)

SSIPE calculations are used to determine if the project triggers public notice pursuant to District Rule 2201, §5.4.5. If SSIPE results greater than 20,000 lb/yr for any one pollutant then project requires public notification. At this time, it is District Practice to define the SSIPE as the difference of SSPE2 and SSPE1, and calculated by the following equation:

$$\text{SSIPE (lb/yr)} = \text{SSPE2 (lb/yr)} - \text{SSPE1 (lb/yr)}$$

	Pollutants (lb/yr)				
	NO <sub>x</sub>	SO <sub>x</sub>	PM <sub>10</sub>	CO	VOC
SSPE2	70,956	30,511	69,711	283,824	46,761
SSPE1	70,956	30,511	69,711	283,824	46,761
SSIPE	0	0	0	0	0

As shown in the above table, SSIPE is equal to zero for each pollutant. Therefore, public notification for this purpose is not required.

### 4. Major Source Determination

#### Rule 2201 Major Source Determination:

Pursuant to District Rule 2201, Section 3.24, a Major Source is a stationary source with a SSPE2 equal to or exceeding one or more of the following threshold values. For the purpose of determining major source status the following shall not be included:

- any ERCs associated with the stationary source
- emissions from non-road IC engines (i.e. IC engines at a particular site at this facility for less than 12 months)
- Fugitive emissions, except for the specific source categories specified in 40 CFR 51.165



As shown in Sections VII.D.1 and VII.D.2 of this document, the facility is an existing Major Source for NO<sub>x</sub>, CO, and VOC.

Rule 2410 Major Source Determination:

The facility evaluated under this project is not listed as one of the categories specified in 40 CFR 52.21(b)(1)(i). Therefore, the following PSD Major Source thresholds are applicable.

The following emissions data were taken from engineering evaluations N-1123241 and N-1123549.

PSD Major Source Determination (tons/year)							
	NO2	VOC	SO2	CO	PM	PM10	CO2e
Estimated Facility PE before Project Increase	36	23.4	15	142	34.9	34.9	163,702
PSD Major Source Thresholds	250	250	250	250	250	250	100,000
Existing PSD Major Source ? (Y/N)	N	N	N	N	N	N	Y

As shown above, the facility is an existing major source for PSD for CO<sub>2</sub>e. Therefore, the facility is an existing major source for PSD.

**5. Baseline Emissions (BE)**

The BE calculation (in lb/year) is performed on a pollutant-by-pollutant basis to determine the amount of offsets required, where necessary, when the SSPE1 is greater than the offset threshold. Pursuant to section 3.8, baseline emissions shall be equal to the sum of:

BE = Pre-project Potential to Emit for:

- Any unit located at a non-Major Source,
- Any Highly-Utilized Emissions Unit, located at a Major Source,
- Any Fully-Offset Emissions Unit, located at a Major Source, or
- Any Clean Emissions Unit, Located at a Major Source.

Otherwise,

BE = Historic Actual Emissions (HAE), calculated pursuant to section 3.23.

As demonstrated in engineering evaluation N-1123241 & N-1123549, the baseline emissions are equal to the pre-project potential to emit for each unit. BE = PE1.

## 6. SB 288 Major Modification

SB 288 Major Modification calculation is to determine the following:

- a. Pursuant to District Rule 2201, section 4.1.3, if Best Available Control Technology (BACT) is triggered for a new or modified emission unit that results in a Major Modification; and
- b. Pursuant to District Rule 2201, section 5.4.1, if a public notification is triggered.

VOC is the only pollutant emitted under this project, and as calculated in section VII.C.1 and VII.C.3 of this document, the VOC emissions from this project are calculated to 228 pounds per year, and the increase of VOC emissions is equal to zero as a result of this project.

As shown in Section VII.D.4 of this document, this facility is an existing Major Source for VOC emissions, the project's PE2 is compared to the SB 288 Major Modification threshold limit of 50,000 lb-VOC/year listed on Table 3-5 of Rule 2201, Section 3.36 in order to determine if the SB 288 Major Modification calculation is required.

SB 288 Major Modification Thresholds and Determination			
Pollutant	Project PE2 (lb/year)	Thresholds (lb/year)	SB 288 Major Modification Calculation Required?
VOC	228	50,000	No

As indicated above, this project does not constitute an SB 288 Major Modification.

## 7. Federal Major Modification

Federal Major Modification is to determine the following:

- a. Pursuant to Rule 2201, section 4.2.3.5, if a Rule-compliance project qualifies for District Rule 2201's Best Available Control Technology (BACT) and offset exemptions;
- b. Pursuant to Rule 2201, section 4.15, if an Alternate Siting analysis must be performed; and if the applicant must provide certification that all California stationary sources owned, operated, or controlled by the applicant that are subject to emission limits are in compliance with those limits or are on a schedule for compliance with all applicable emission limits and standards; and
- c. Pursuant to Rule 2201, section 5.4.1, if a public notification is triggered.

This facility is an existing Major Source for VOC emissions. In order to determine whether a Federal Major Modification can be triggered, the Net Emissions Increase (NEI) is calculated and is compared with the significant threshold limit of 0 lb-VOC/year listed on Table 3-1 of Rule 2201, Section 3.18.1.4.

The District draft policy "Implementation of Rule 2201 (as amended on 12/18/08 and effective on 6/10/10) for SB 288 Major Modifications and Federal Major Modifications (2/8/11)" is referenced to determine the emissions increase.

Case 2 in the draft policy states "If the proposed modification does not result in an increase in design capacity or potential to emit, and it does not impact the ability of the emission unit to operate at a higher utilization rate, then the unused baseline capacity emissions can also be excluded from the emission increase (EI).

Neither the rating nor the utilization rate of this aboveground gasoline storage tank will increase as a result of this project. Therefore, the above referenced draft allows the unused baseline capacity emissions to be excluded from the EI, and is calculated as follow:

$$EI = PAE - BAE - UBC$$

Where, PAE = Projected Actual Emissions,  
BAE = Baseline Actual Emissions,  
UBC = Unused Baseline Capacity  
UBC = PE1 – BAE

As discussed above, the proposed modification will not increase the permitted utilization rate of the aboveground gasoline storage tank, and the PAE is equal to PE2. Thus,

$$\begin{aligned} EI &= PAE - BAE - UBC \\ &= PE2 - BAE - (PE1 - BAE) \\ &= PE2 - PE1 \end{aligned}$$

Federal Major Modification Calculation and Determination					
Pollutant	PE2 (lb/yr)	PE1 (lb/yr)	EI (lb/yr)	Thresholds (lb/yr)	Federal Major Modification?
VOC	228	228	0	0	No

As shown in above table, this project does not constitute a Federal Major Modification.

#### **8. Rule 2410 – Prevention of Significant Deterioration (PSD) Applicability Determination**

Rule 2410 applies to pollutants for which the District is in attainment or for unclassified, pollutants. The pollutants addressed in the PSD applicability determination are listed as follows:

- NO2 (as a primary pollutant)
- SO2 (as a primary pollutant)

- CO
- PM
- PM10
- Greenhouses gases (GHG): CO<sub>2</sub>, N<sub>2</sub>O, CH<sub>4</sub>, HFCs, PFCs, and SF<sub>6</sub>

As determined in Section VII.D.4 of this document, this facility is an existing PSD Major Source, so the proposed project will subject to PSD if the project results in a PSD significant increase.

The project is not located within 10 km of a Class 1 area; therefore, modeling of the emission increase is not required to determine if the project is subject to the requirements of Rule 2410.

Therefore, the project potential to emit from the modified unit is compared to the PSD major source thresholds to determine if the project is subject to the requirements of Rule 2410.

The facility evaluated under this project is not listed as one of the categories specified in 40 CFR 52.21(b)(1)(i). Therefore, the following PSD Major Source thresholds are applicable.

<b>PSD Major Source Determination (tons/year)</b>							
	NO <sub>2</sub>	VOC	SO <sub>2</sub>	CO	PM	PM <sub>10</sub>	CO <sub>2e</sub>
Total PE from the modified units	0	0.1	0	0	0	0	0
PSD Major Source Thresholds	250	250	250	250	250	250	100,000
New PSD Major Source ? (Y/N)	N	N	N	N	N	N	N

As shown in the table above, the project potential to emit, by itself, does not exceed any of the PSD major source thresholds. Therefore Rule 2410 is not applicable and no further discussion is required.

## **VIII. COMPLIANCE:**

### **District Rule 2201**

#### **A. Best Available Control Technology (BACT)**

The proposed modifications are solely for compliance with CARB's requirements to retrofit existing aboveground gasoline storage tank with one of CARB's approved Enhanced Phase I vapor recovery systems. In this case the applicant has chosen to install a CARB approved Morrison Phase I Enhanced vapor recovery system and this modification is exempt from BACT if the following criteria from District Rule 2201, Section 4.2.3 are satisfied.

- 4.2.3 For existing facilities, the installation or modification of an emission control technique performed solely for the purpose of compliance with the requirements

of District, State or Federal air pollution control laws, regulations, or orders, as approved by the APCO, shall be exempt from Best Available Control Technology for all air pollutants, provided all of the following conditions are met:

- 4.2.3.1 There shall be no increase in the physical or operational design of the existing facility, except for those changes to the design needed for the installation or modification of the emission control technique itself;
- 4.2.3.2 There shall be no increase in the permitted rating or permitted operating schedule of the permitted unit;
- 4.2.3.3 There shall be no increase in emissions from the stationary source that will cause or contribute to any violation of a National Ambient Air Quality Standard, Prevention of Significant Deterioration increment, or Air Quality Related Value in Class I areas; and
- 4.2.3.4 The project shall not result in an increase in permitted emissions or potential to emit of more than 25 tons per year of NO<sub>x</sub>, or 25 tons per year of VOC, or 15 tons per year of SO<sub>x</sub>, or 15 tons per year of PM<sub>10</sub>, or 50 tons per year of CO.
- 4.2.3.4 The project shall not constitute a federal major modification.

Since each of the above-listed criteria is met, the proposed modification is exempt from BACT.

#### **B. Offsets:**

The proposed modifications are solely for compliance with CARB's requirements to retrofit existing aboveground gasoline storage tank with one of CARB's approved Enhanced Phase I vapor recovery systems. In this case the applicant has chosen to install a CARB approved Morrison Phase I Enhanced vapor recovery system. District Rule 2201, Section 4.6.8 provides the following exemption from offsets.

Emission offsets shall not be required for the following:

- 4.6.8 For existing facilities, the installation or modification of an emission control technique performed solely for the purpose of compliance with the requirements of District, State or Federal air pollution control laws, regulations, or orders, as approved by the APCO, shall be exempt from offset requirements for all air pollutants provided all of the following conditions are met:
  - 4.6.8.1 There shall be no increase in the physical or operational design of the existing facility, except for those changes to the design needed for the installation or modification of the emission control technique itself;
  - 4.6.8.2 There shall be no increase in the permitted rating or permitted operating schedule of the permitted unit;
  - 4.6.8.3 There shall be no increase in emissions from the stationary source that will cause or contribute to any violation of a National Ambient Air Quality Standard, Prevention of Significant Deterioration increment, or Air Quality Related Value in Class I areas; and

- 4.6.8.4 The project shall not result in an increase in permitted emissions or potential to emit of more than 25 tons per year of NO<sub>x</sub>, or 25 tons per year of VOC, or 15 tons per year of SO<sub>x</sub>, or 15 tons per year of PM-10, or 50 tons per year of CO.

Since the above-listed criteria are met, the proposed modification is exempt from offsets.

### **C. Public Notification:**

District Rule 2201, § 5.4, requires a public notification for the affected pollutants from the following types of projects:

- New Major Sources
- Federal Major Modifications and SB 288 Major Modifications
- New emission units with a PE >100 lb/day of any one pollutant
- Modifications with SSPE1 below an Offset threshold and SSPE2 above an Offset threshold on a pollutant-by-pollutant basis
- New stationary sources with SSPE2 exceeding Offset thresholds
- Any permitting action with a SSPE exceeding 20,000 lb/yr for any one pollutant

The proposed project does not trigger any of the above categories that would require a public notice. Therefore, a public notice is not required for this purpose.

### **D. Daily Emission Limits (DELs):**

DELs and other enforceable conditions are required by Rule 2201 to restrict a unit's maximum daily emissions, to a level at or below the emissions associated with the maximum design capacity. The DEL must be contained in the latest ATC and contained in or enforced by the latest PTO and enforceable, in a practicable manner, on a daily basis. DELs are also required to enforce the applicability of BACT. For the motor vehicle refueling operation the DEL is established by the number of fueling points and the emission factor as shown in Section VII of this document.

### **E. Compliance Assurance:**

#### **1. Source Testing**

Source testing is required by District Rules 4621, *Gasoline Transfer into Stationary Storage Containers, Delivery Vessels, and Bulk Plants*, and 4622, *Transfer of Gasoline into Vehicle Fuel Tanks*. Since this gasoline dispensing operation is subject to the source testing requirements of these rules, these requirements will be discussed in Section VIII of this document.

## **2. Monitoring**

Monitoring is required by District Rules 4621, *Gasoline Transfer into Stationary Storage Containers, Delivery Vessels, and Bulk Plants*, and 4622, *Transfer of Gasoline into Vehicle Fuel Tanks*. Since this gasoline dispensing operation is subject to the monitoring requirements of these rules, these requirements will be discussed in Section VIII of this document.

## **3. Recordkeeping**

Recordkeeping is required by District Rules 4621, *Gasoline Transfer into Stationary Storage Containers, Delivery Vessels, and Bulk Plants*, and 4622, *Transfer of Gasoline into Vehicle Fuel Tanks*. Since this gasoline dispensing operation is subject to the recordkeeping requirements of these rules, these requirements will be discussed in Section VIII of this document.

## **4. Reporting**

Reporting is not required to demonstrate compliance with Rule 2201.

Compliance with the requirements of this rule is expected.

### **District Rule 2410**

As demonstrated in Section VII.D.8 of this document, the proposed project is not subject to the requirements of Rule 2410; therefore no further discussion is required.

### **District Rule 2520**

Forward possesses a Title V permit. The proposed project is considered a Minor Modification to the Title V permit. In accordance with Rule 2520, these modifications:

1. Do not violate requirements of any applicable federally enforceable local or federal requirement;
2. Do not relax monitoring, reporting, or recordkeeping requirements in the permit and are not significant changes in existing monitoring permit terms or conditions;
3. Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;
4. Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include:
  - a. A federally enforceable emission cap assumed to avoid classification as a modification under any provisions of Title I of the Federal Clean Air Act; and

- b. An alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the Federal Clean Air Act; and
5. Are not Title I modifications as defined in District Rule 2520 or modifications as defined in section 111 or 112 of the Federal Clean Air Act; and
6. Do not seek to consolidate overlapping applicable requirements.

As discussed above, the proposed project is considered a Minor Modification to the Title V permit, and the facility has applied for a Certificate of Conformity (COC). Therefore, Forward must apply to modify their Title V permit with an administrative amendment, prior to operating with the proposed modifications. Continued compliance with this rule is expected. The facility may construct/operate under the ATC upon submittal of the Title V administrative amendment application. Therefore, the following conditions will be listed on the permit:

- *{1830} This Authority to Construct serves as a written certificate of conformity with the procedural requirements of 40 CFR 70.7 and 70.8 and with the compliance requirements of 40 CFR 70.6(c). [District NSR Rule]*
- *{1831} Prior to operating with modifications authorized by this Authority to Construct, the facility shall submit an application to modify the Title V permit with an administrative amendment in accordance with District Rule 2520 Section 5.3.4. [District Rule 2520, 5.3.4]*

In accordance with Rule 2520, the application meets the procedural requirements of section 11.4 by including:

- A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs and
- The source's suggested draft permit (Appendix I of this document) and
- Certification by a responsible official that the proposed modification meets the criteria for use of major permit modification procedures and a request that such procedures be used (Appendix III of this document)

Section 5.3.4 of this rule requires the permittee shall file an application for administrative permit amendments prior to implementing the requested change except when allowed by the operational flexibility provisions of section 6.4 of this rule.

Forward is expected to notify the District by filing the appropriate application forms prior to commencing operation. Therefore, compliance with the requirements of this Rule is expected.



## **District Rule 4102**

Rule 4102 states that no air contaminant shall be released into the atmosphere which causes a public nuisance. Public nuisance conditions are not expected as a result of these operations, provided the equipment is well maintained. The following condition will be listed on the ATC to ensure compliance:

- *{98} No air contaminant shall be released into the atmosphere which causes a public nuisance. [District NSR Rule]*

## **California Health & Safety Code 41700 (Health Risk Assessment)**

Motor vehicle refueling facilities equipped with both Phase I and Phase II vapor recovery systems satisfy the District's BACT requirement for air toxic control, and the District has determined the health risk impact from such sources are insignificant. Therefore, a health risk assessment will not be required. Compliance with this rule is expected.

## **District Rules 4621**

This rule applies to storage containers located at bulk plants with capacities greater than 250 gallons and less than 19,800 gallons; to other stationary storage containers with capacities greater than 250 gallons; and to those storage containers that are not subject to the control requirements of Rule 4623 (Storage of Organic Liquids) Section 5.0. The rule also applies to gasoline delivery vessels.

Section 5.1 states "loading equipment and vapor collection equipment shall be installed, maintained, and operated such that it is leak-free, with no excess organic liquid drainage at disconnect."

Section 3.19.2 defines a leak as the dripping of VOC-containing liquid at a rate of more than three (3) drops per minute, or the detection of any gaseous or vapor emissions with a concentration or total organic compound greater than 10,000 ppmv, as methane, above background when measured in accordance with the test method in Section 6.4.3. Any liquid or gas coming from a component undergoing repair or replacement, or during sampling of process fluid from a component or equipment into a container is not considered sampling of a leak provided such activities are accomplished as expeditiously as possible and with minimal spillage of material and VOC emissions to the atmosphere.

Therefore, the following permit conditions will be placed on the ATC to ensure compliance with these requirements:

- *{3911} The Phase I vapor recovery systems and gasoline dispensing equipment shall be maintained without leaks as determined in accordance with the test method specified in this permit. [District Rule 4621]*

- *{3912} A leak is defined as the dripping of VOC-containing liquid at a rate of more than three (3) drops per minute, or the detection of any gaseous or vapor emissions with a concentration or total organic compound greater than 10,000 ppmv, as methane, above background when measured in accordance with EPA Test Method 21. [District Rule 4621]*

Section 5.2.1 states “no person shall transfer, or permit the transfer, of gasoline from any delivery vessel into any stationary storage container subject to the requirements of this rule unless such container is equipped with an ARB certified permanent submerged fill pipe and utilizes an ARB certified Phase I vapor recovery system that is maintained and operated according to manufacturer specifications and the applicable ARB Executive Order.” Since the facility is proposing to install ARB certified Phase I vapor recovery system, requirements of this section are satisfied and compliance is expected.

In addition, ARB has the additional certification requirements, including applicable rules and regulations of the Division of Measurement Standards of the Department of Food and Agriculture, the Office of the State Fire Marshal of the Department of Forestry and Fire Protection, the Division of Occupational Safety and Health of the Department of Industrial Relations, and the Division of Water Quality of the State Water Resources Control Board that have been made conditions of the certification. Therefore, the following permit condition will be placed on the ATC to ensure compliance with this requirement:

- *{4722} The Phase I and Standing Loss Control Vapor recovery systems shall be installed and maintained in accordance with the manufacturer specifications and the ARB Executive Orders specified in this permit, including applicable rules and regulations of the Division of Measurement Standards of the Department of Food and Agriculture, the Office of the State Fire Marshal of the Department of Forestry and Fire Protection, the Division of Occupational Safety and Health of the Department of Industrial Relations, and the Division of Water Quality of the State Water Resources Control Board that have been made conditions of the certification. [District Rule 4621 and CH&SC 41950]*

Section 5.2.4 states “operators shall have all underground storage container installations and all underground piping configurations inspected by the APCO prior to backfilling. The operator shall notify the District by telephone or other District-approved method and obtain a confirmation number at least three business days prior to the backfilling.” Therefore, the following permit condition will be placed on the ATC to ensure compliance with this requirement:

- *{3908} The permittee shall have all underground storage container installations and all underground piping configurations inspected by the APCO prior to backfilling. The permittee shall notify the District by telephone or other District-approved method and obtain a confirmation number at least three business days prior to backfilling. [District Rule 4621]*

Section 5.4.1 states "all aboveground storage containers shall be constructed and maintained in a leak-free condition." Therefore, the following permit condition will be placed on the ATC to ensure compliance with this requirement:

- {3980} *The storage container(s) shall be installed, maintained, and operated such that they are leak-free. [District Rule 4621]*

Section 5.4.5 states "operators of an aboveground storage container not located at a bulk plant shall conduct and pass the performance test specified in Sections 6.4.9 to determine compliance at least once every 36 months, (no more than 30 days before or after the required performance test date) unless otherwise required under ARB Executive Order." Section 6.4.9 specifies the "Static Leak Test for Aboveground Tanks" using ARB Test Procedure TP-206.3 or ARB Test Procedure TP-201.3B as applicable.

Therefore, the following permit condition will be placed on the ATC to ensure compliance with this requirement:

- {3927} *The permittee shall conduct all periodic vapor recovery system performance tests specified in this permit, no more than 30 days before or after the required compliance testing date, unless otherwise required under the applicable ARB Executive Order. [District Rule 4621]*
- {4723} *The permittee shall perform and pass a Static Leak Test "Determination of Static Pressure Performance of Vapor Recovery Systems at Gasoline Dispensing Facilities with Aboveground Tanks" in accordance with the Executive Order specified in this permit for the Phase I Vapor Recovery System within 60 days after initial start-up and at least once every 36 months thereafter. [District Rule 4621]*

Section 5.5 states "All Phase I vapor recovery systems shall be inspected according to the frequency specified in Table 1. The person conducting the inspections shall, at a minimum, verify that the fill caps and vapor caps are not missing, damaged, or loose, that the fill cap gasket and vapor cap gaskets are not missing or damaged, that the fill adapter and vapor adapter are securely attached to the risers, that, where applicable, the spring-loaded submerged fill tube seals properly against the coaxial tubing, and the dry break (poppet-valve) is not missing or damaged and that the submerged fill tube is not missing or damaged." Therefore, the following permit conditions will be placed on the ATC to ensure compliance with these requirements:

- {3922} *The permittee shall conduct periodic maintenance inspections based on the greatest monthly throughput of gasoline dispensed by the facility in the previous year as follows: A) less than 2,500 gallons - one day per month; B) 2,500 to less than 25,000 gallons - one day per week; or C) 25,000 gallons or greater - five days per week. All inspections shall be documented within the O & M Manual. [District Rule 4621]*

- *{3924} Periodic maintenance inspections of the Phase I vapor recovery system shall include, at a minimum, verification that 1) the fill caps and vapor caps are not missing, damaged, or loose; 2) the fill cap gasket and vapor cap gaskets are not missing or damaged; 3) the fill adapter and vapor adapter are securely attached to the risers; 4) where applicable, the spring-loaded submerged fill tube seals properly against the coaxial tubing; 5) the dry break (poppet-valve) is not missing or damaged; and 6) the submerged fill tube is not missing or damaged. [District Rule 4621]*

Section 5.7.2 states “no person shall operate, or allow the operation of a delivery vessel unless valid State of California decals which attest to the vapor integrity of the container are displayed.” Therefore, the following permit condition will be placed on the ATC to ensure compliance with this requirement:

- *{3915} No gasoline delivery vessel shall be operated or be allowed to operate unless valid State of California decals are displayed on the cargo container, which attest to the vapor integrity of the container. [District Rule 4621]*

Section 6.1.4 states “all records required to demonstrate compliance with the requirements of this rule shall be retained on the premises for a minimum of five years and made available on site during normal business hours to the APCO, ARB, or EPA, and submitted to the APCO, ARB, or EPA upon request.” Therefore, the following permit condition will be placed on the ATC to ensure compliance with these requirements:

- *{4738} The permittee shall maintain monthly and annual gasoline throughput records. The records should allow the gasoline throughput for any 30-day period to be continuously determined. These records shall be maintained on the premises as long as exempt status is claimed. [District Rules 4621 and 4622]*
- *{3973} All records required by this permit shall be retained on-site for a period of at least five years and shall be made available for made available for District inspection upon request. [District Rule 4621]*

Section 6.2.3 states “Operators shall notify the District at least seven days prior to any performance testing.” Section 6.2.4 states “Operators shall submit all performance test results to the District within 30 days of test completion.” Therefore, the following permit condition will be placed on the ATC to ensure compliance with these requirements:

- *{3968} The permittee shall notify the District at least 7 days prior to each performance test. The test results shall be submitted to the District no later than 30 days after the completion of each test. [District Rule 4621]*

Section 6.3.1 states “on and after June 20, 2008, installation and maintenance contractors shall be certified by the ICC for Vapor Recovery System Installation and Repair (VI) and make available onsite proof of ICC certification for VI, and have and make available on site proof of any and all certifications required by the Executive Order

and installation and operation manual in order to install or maintain specific systems, or work under the direct and personal supervision of an individual physically present at the work site who possesses and makes available onsite a current certificate from the ICC, indicating he or she has passed the VI exam and all certifications required by the applicable Executive Order.

Section 6.3.2 states "All ICC certifications shall be renewed every 24 months by passing the appropriate exam specific to the certification being sought."

Therefore, the following permit condition will be placed on the ATC to ensure compliance with these requirements:

- *{4013} A person performing installation of, or maintenance on, a certified Phase I vapor recovery system shall be certified by the ICC for Vapor Recovery System Installation and Repair, or work under the direct and personal supervision of an individual physically present at the work site who is certified. The ICC certification shall be renewed every 24 months. [District Rule 4621]*
- *{4015} Proof of the ICC certification and all other certifications required by the Executive Order and installation and operation manual shall be made available onsite. [District Rule 4621]*

Section 6.3.3 states "Effective on and after March 21, 2008, Gasoline Dispensing Facility Testers wishing to conduct vapor recovery system testing and repair at facilities located within the District, shall be in full compliance with District Rule 1177 (Gasoline Dispensing Facility Tester Certification)." Therefore, the following permit condition will be placed on the ATC to ensure compliance with these requirements:

- *{4006} A person conducting testing of, or repairs to, a certified vapor recovery system shall be in compliance with District Rule 1177 (Gasoline Dispensing Facility Tester Certification). [District Rule 4621]*

Compliance with the requirements of this rule is expected.

## **District Rules 4622**

This rule applies to gasoline dispensing facilities that fuel motor vehicles except existing facilities with a throughput of less than or equal to 24,000 gallons of gasoline per calendar year and less than or equal to 10,000 gallons in any consecutive 30-day period.

Section 4.1 states "except for the provisions of Section 6.1.1 and 6.1.2, requirements of this rule shall not apply to the transfer of gasoline into motor vehicle fuel tanks from any existing storage container, as defined in Section 3.10, with an aggregate dispensing operation throughput of:

- 4.1.1 less than or equal to 24,000 gallons per calendar year; and
- 4.1.2 less than or equal to 10,000 gallons in any consecutive 30-day period.
- 4.1.3 Any facility which exceeds the throughput limitations under Section 4.1.1 or 4.1.2 shall be subject to all provisions of this rule on and after the date the throughput limitations were exceeded and shall be in compliance according to the schedule in Section 7.1."

Section 3.10 defines an "Existing Storage Container" as a gasoline storage container which was in existence on or before May 21, 1992.

Section 6.1.1 states that gasoline dispensing operations that are exempt under Section 4.1 shall maintain gasoline throughput records which will allow the gasoline throughput for any 30-day period to be continuously determined. These records shall be maintained on the premises as long as exempt status is claimed.

Section 6.1.2 states that any gasoline dispensing operation previously exempt under Section 4.1 whose gasoline throughput exceeds the exemption levels in Sections 4.1.1 and 4.1.2 shall notify the District within 30 days of the date of exceeding the exemption levels.

This gasoline dispensing operation is exempt from the requirements of District Rule 4622 per section 4.1. The gasoline storage tank was installed on or prior to May 21, 1992. The operation will be limited to a throughput of less than or equal to 24,000 gallons of gasoline per calendar year and less than or equal to 10,000 gallons in any consecutive 30-day period.

Therefore, the requirements of this rule do not apply and the following conditions will be included on the permit to ensure the exemption status:

- *{4251} Total gasoline throughput for the facility shall not exceed either of the following: 10,000 gallons in any consecutive 30-day period or 24,000 gallons per calendar year. If throughput exceeds stated limits, the permittee shall submit a complete application for an Authority to Construct (ATC) to the District within 30 days of the loss of exemption and install and test a certified Phase II vapor recovery system within six (6) months from the date the ATC is issued. [District Rule 4622]*
- *{4738} The permittee shall maintain monthly and annual gasoline throughput records. The records should allow the gasoline throughput for any 30-day period to be continuously determined. These records shall be maintained on the premises as long as exempt status is claimed. [District Rules 4621 and 4622]*

#### **California Health & Safety Code 42301.6 (School Notice)**

As discussed in Section III of this document, a school notice is not required.

### **California Environmental Quality Act (CEQA)**

CEQA requires each public agency to adopt objectives, criteria, and specific procedures consistent with CEQA Statutes and the CEQA Guidelines for administering its responsibilities under CEQA, including the orderly evaluation of projects and preparation of environmental documents. The District adopted its *Environmental Review Guidelines* (ERG) in 2001. The basic purposes of CEQA are to:

- Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities;
- Identify the ways that environmental damage can be avoided or significantly reduced;
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

The District performed an Engineering Evaluation (this document) for the proposed project and determined none of the project specific emission unit(s) trigger Best Available Control Technology (BACT) requirements. Furthermore, the District has determined that the proposed project would not have potential emission increases.

Issuance of permits for emissions units not subject to BACT requirements and with health impact less than significant is a matter of ensuring conformity with applicable District rules and regulations and does not require discretionary judgment or deliberation. Thus, the District concludes that this permitting action constitutes a ministerial approval. Section 21080 of the Public Resources Code exempts from the application of CEQA those projects over which a public agency exercises only ministerial approval. Therefore, the District finds that this project is exempt from the provisions of CEQA.

### **IX. RECOMMENDATION:**

Compliance with all applicable rules and regulations is expected. Pending a successful Noticing period, issue Authority to Construct N-339-9-3 subject to the permit conditions listed on the attached draft Authority to Construct in Appendix I.

### **X. Billing Information:**

Annual Permit Fee		
Permit Number	Fee Schedule	Fee Description
N-339-9-3	3020-11-A	1 nozzle x \$34 per nozzle

**XI. Appendixes:**

- Appendix I - Draft Authority to Construct (ATC)
- Appendix II - Existing Permit to Operate (PTO)
- Appendix III - Compliance Certification



## **APPENDIX I**

### **Draft Authority to Construct (ATC)**

San Joaquin Valley  
Air Pollution Control District

**AUTHORITY TO CONSTRUCT**

**PERMIT NO:** N-339-9-3

**ISSUANCE DATE:** DRAFT

**LEGAL OWNER OR OPERATOR:** FORWARD INC LANDFILL  
**MAILING ADDRESS:** 9999 S AUSTIN RD  
MANTECA, CA 95336

**LOCATION:** 9999 S. AUSTIN ROAD  
MANTECA, CA 95336

**EQUIPMENT DESCRIPTION:**

MODIFICATION OF GASOLINE DISPENSING OPERATION WITH ONE 500 GALLON ABOVE GROUND GASOLINE STORAGE TANK SERVED BY TWO-POINT PHASE I VAPOR RECOVERY SYSTEM (G-70-102-A), AND 1 FUELING POINT WITH 1 PHASE II EXEMPT GASOLINE DISPENSING NOZZLE: PHASE I VAPOR RECOVERY SYSTEM UPGRADE FROM TWO-POINT TO MORRISON BROS. EVR (VR-402). THE POST-PROJECT EQUIPMENT DESCRIPTION BECOMES: GASOLINE DISPENSING OPERATION WITH ONE 500 GALLON CONVAULT ABOVEGROUND STORAGE TANK SERVED BY MORRISON BROS EVR PHASE I VAPOR RECOVERY SYSTEM (VR-402-B), STANDING LOSS CONTROL (VR-301-E), AND 1 FUELING POINT WITH 1 PHASE II EXEMPT GASOLINE DISPENSING NOZZLE.

**CONDITIONS**

1. {1830} This Authority to Construct serves as a written certificate of conformity with the procedural requirements of 40 CFR 70.7 and 70.8 and with the compliance requirements of 40 CFR 70.6(c). [District Rule 2201] Federally Enforceable Through Title V Permit
2. {1831} Prior to operating with modifications authorized by this Authority to Construct, the facility shall submit an application to modify the Title V permit with an administrative amendment in accordance with District Rule 2520 Section 5.3.4. [District Rule 2520, 5.3.4] Federally Enforceable Through Title V Permit
3. The Phase I and Standing Loss Control Vapor recovery systems shall be installed and maintained in accordance with the manufacturer specifications and the ARB Executive Orders specified in this permit, including applicable rules and regulations of the Division of Measurement Standards of the Department of Food and Agriculture, the Office of the State Fire Marshal of the Department of Forestry and Fire Protection, the Division of Occupational Safety and Health of the Department of Industrial Relations, and the Division of Water Quality of the State Water Resources Control Board that have been made conditions of the certification. [District Rule 4621 and CH&SC 41950] Federally Enforceable Through Title V Permit

CONDITIONS CONTINUE ON NEXT PAGE

**YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (209) 557-6400 WHEN CONSTRUCTION IS COMPLETED AND PRIOR TO OPERATING THE EQUIPMENT OR MODIFICATIONS AUTHORIZED BY THIS AUTHORITY TO CONSTRUCT.** This is NOT a PERMIT TO OPERATE. Approval or denial of a PERMIT TO OPERATE will be made after an inspection to verify that the equipment has been constructed in accordance with the approved plans, specifications and conditions of this Authority to Construct, and to determine if the equipment can be operated in compliance with all Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. Unless construction has commenced pursuant to Rule 2050, this Authority to Construct shall expire and application shall be cancelled two years from the date of issuance. The applicant is responsible for complying with all laws, ordinances and regulations of all other governmental agencies which may pertain to the above equipment.

Seyed Sadredin, Executive Director APCO

DAVID WARNER, Director of Permit Services  
N-339-9-3 Oct 10 2013 10:42AM - SOW Joint Inspection NOT Required

4. The permittee shall have all underground storage container installations and all underground piping configurations inspected by the APCO prior to backfilling. The permittee shall notify the District by telephone or other District-approved method and obtain a confirmation number at least three business days prior to backfilling. [District Rule 4621] Federally Enforceable Through Title V Permit
5. {98} No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]
6. The storage container(s) shall be installed, maintained, and operated such that they are leak-free. [District Rule 4621] Federally Enforceable Through Title V Permit
7. The Phase I vapor recovery systems and gasoline dispensing equipment shall be maintained without leaks as determined in accordance with the test method specified in this permit. [District Rule 4621] Federally Enforceable Through Title V Permit
8. A leak is defined as the dripping of VOC-containing liquid at a rate of more than three (3) drops per minute, or the detection of any gaseous or vapor emissions with a concentration of total organic compound greater than 10,000 ppmv, as methane, above background when measured in accordance with EPA Test Method 21. [District Rule 4621] Federally Enforceable Through Title V Permit
9. No gasoline delivery vessel shall be operated or be allowed to operate unless valid State of California decals are displayed on the cargo container, which attest to the vapor integrity of the container. [District Rule 4621] Federally Enforceable Through Title V Permit
10. The permittee shall conduct periodic maintenance inspections based on the greatest monthly throughput of gasoline dispensed by the facility in the previous year as follows: A) less than 2,500 gallons - one day per month; B) 2,500 to less than 25,000 gallons - one day per week; or C) 25,000 gallons or greater - five days per week. All inspections shall be documented within the O & M Manual. [District Rule 4621] Federally Enforceable Through Title V Permit
11. Periodic maintenance inspections of the Phase I vapor recovery system shall include, at a minimum, verification that 1) the fill caps and vapor caps are not missing, damaged, or loose; 2) the fill cap gasket and vapor cap gaskets are not missing or damaged; 3) the fill adapter and vapor adapter are securely attached to the risers; 4) where applicable, the spring-loaded submerged fill tube seals properly against the coaxial tubing; 5) the dry break (poppet-valve) is not missing or damaged; and 6) the submerged fill tube is not missing or damaged. [District Rule 4621] Federally Enforceable Through Title V Permit
12. The permittee shall conduct all periodic vapor recovery system performance tests specified in this permit, no more than 30 days before or after the required compliance testing date, unless otherwise required under the applicable ARB Executive Order. [District Rule 4621] Federally Enforceable Through Title V Permit
13. The permittee shall perform and pass a Static Leak Test "Determination of Static Pressure Performance of Vapor Recovery Systems at Gasoline Dispensing Facilities with Aboveground Tanks" in accordance with the Executive Order specified in this permit for the Phase I Vapor Recovery System within 60 days after initial start-up and at least once every 36 months thereafter. [District Rule 4621] Federally Enforceable Through Title V Permit
14. The permittee shall notify the District at least 7 days prior to each performance test. The test results shall be submitted to the District no later than 30 days after the completion of each test. [District Rule 4621] Federally Enforceable Through Title V Permit
15. A person performing installation of, or maintenance on, a certified Phase I vapor recovery system shall be certified by the ICC for Vapor Recovery System Installation and Repair, or work under the direct and personal supervision of an individual physically present at the work site who is certified. The ICC certification shall be renewed every 24 months. [District Rule 4621] Federally Enforceable Through Title V Permit
16. Proof of the ICC certification and all other certifications required by the Executive Order and installation and operation manual shall be made available onsite. [District Rule 4621] Federally Enforceable Through Title V Permit
17. A person conducting testing of, or repairs to, a certified vapor recovery system shall be in compliance with District Rule 1177 (Gasoline Dispensing Facility Tester Certification). [District Rule 4621] Federally Enforceable Through Title V Permit

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CONDITIONS CONTINUE ON NEXT PAGE

18. Total gasoline throughput for the facility shall not exceed either of the following: 10,000 gallons in any consecutive 30-day period or 24,000 gallons per calendar year. If throughput exceeds stated limits, the permittee shall submit a complete application for an Authority to Construct (ATC) to the District within 30 days of the loss of exemption and install and test a certified Phase II vapor recovery system within six (6) months from the date the ATC is issued. [District Rule 4622] Federally Enforceable Through Title V Permit
19. The permittee shall maintain monthly and annual gasoline throughput records. The records should allow the gasoline throughput for any 30-day period to be continuously determined. These records shall be maintained on the premises as long as exempt status is claimed. [District Rules 4621 and 4622] Federally Enforceable Through Title V Permit
20. All records required by this permit shall be retained on-site for a period of at least five years and shall be made available for District inspection upon request. [District Rule 4621] Federally Enforceable Through Title V Permit

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## **APPENDIX II**

### **Existing Permit to Operate**

# San Joaquin Valley Air Pollution Control District

**PERMIT UNIT:** N-339-9-2

**EXPIRATION DATE:** 07/31/2016

**EQUIPMENT DESCRIPTION:**

GASOLINE DISPENSING OPERATION WITH ONE 500 GALLON ABOVE GROUND GASOLINE STORAGE TANK SERVED BY TWO-POINT PHASE I VAPOR RECOVERY SYSTEM (G-70-102-A), AND 1 FUELING POINT WITH 1 PHASE II EXEMPT GASOLINE DISPENSING NOZZLE

## PERMIT UNIT REQUIREMENTS

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1. The Phase I vapor recovery system shall be installed and maintained in accordance with the manufacturer specifications and the ARB Executive Order. [District Rule 4621] Federally Enforceable Through Title V Permit
2. The storage container(s) shall be installed, maintained, and operated such that they are leak-free. [District Rule 4621] Federally Enforceable Through Title V Permit
3. The Phase I vapor recovery systems and gasoline dispensing equipment shall be maintained without leaks as determined in accordance with the test method specified in this permit. [District Rule 4621] Federally Enforceable Through Title V Permit
4. A leak is defined as the dripping of VOC-containing liquid at a rate of more than three (3) drops per minute, or the detection of any gaseous or vapor emissions with a concentration or total organic compound greater than 10,000 ppmv, as methane, above background when measured in accordance with EPA Test Method 21. [District Rule 4621] Federally Enforceable Through Title V Permit
5. No gasoline delivery vessel shall be operated or be allowed to operate unless valid State of California decals are displayed on the cargo container, which attest to the vapor integrity of the container. [District Rule 4621] Federally Enforceable Through Title V Permit
6. Total gasoline throughput for the facility shall not exceed either of the following: 10,000 gallons in any consecutive 30-day period or 24,000 gallons per calendar year. If throughput exceeds stated limits, the permittee shall notify the District within 30 days and a certified Phase II vapor recovery system shall be installed. [District Rule 4622] Federally Enforceable Through Title V Permit
7. The permittee shall conduct and document periodic maintenance inspections based on the greatest monthly throughput of gasoline dispensed by the facility in the previous year as follows: A) less than 2,500 gallons - one day per month; B) 2,500 to less than 25,000 gallons - one day per week; or C) 25,000 gallons or greater - five days per week. [District Rule 4621] Federally Enforceable Through Title V Permit
8. Periodic maintenance inspections of the Phase I vapor recovery system shall include, at a minimum, verification that 1) the fill caps and vapor caps are not missing, damaged, or loose; 2) the fill cap gasket and vapor cap gaskets are not missing or damaged; 3) the fill adapter and vapor adapter are securely attached to the risers; 4) where applicable, the spring-loaded submerged fill tube seals properly against the coaxial tubing; 5) the dry break (poppet-valve) is not missing or damaged; and 6) the submerged fill tube is not missing or damaged. [District Rule 4621] Federally Enforceable Through Title V Permit
9. The permittee shall conduct all periodic vapor recovery system performance tests specified in this permit, no more than 30 days before or after the required compliance testing date, unless otherwise required under the applicable ARB Executive Order. [District Rule 4621] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

10. The storage tank shall be equipped with an ARB certified pressure vacuum relief valve set at 3.0ñ0.5 inches water column pressure relief and 8.0ñ2.0 inches water column vacuum relief. [District Rule 4621] Federally Enforceable Through Title V Permit
11. The permittee shall perform and pass a Static Leak Test for Aboveground Tanks using ARB TP-201.3B or TP-206.3 at least once every 36 months. [District Rule 4621] Federally Enforceable Through Title V Permit
12. A person conducting testing of, or repairs to, a certified vapor recovery system shall be in compliance with District Rule 1177 (Gasoline Dispensing Facility Tester Certification). [District Rule 4621] Federally Enforceable Through Title V Permit
13. A person performing maintenance on a certified Phase I vapor recovery system shall be certified by the ICC (International Code Council) for Vapor Recovery System Installation and Repair, or work under the direct and personal supervision of an individual physically present at the work site who is certified. Proof of the ICC certification and all other certifications required by the Executive Order and installation and operation manual shall be made available onsite. [District Rule 4621] Federally Enforceable Through Title V Permit
14. The permittee shall notify the District at least 7 days prior to each performance test. The test results shall be submitted to the District no later than 30 days after the completion of each test. [District Rule 4621] Federally Enforceable Through Title V Permit
15. The permittee shall maintain monthly and annual gasoline throughput records. [District Rule 4621] Federally Enforceable Through Title V Permit
16. All records required by this permit shall be retained on-site for a period of at least five years and shall be made available for District inspection upon request. [District Rule 4621] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

## **APPENDIX III**

### **Compliance Certification**



**San Joaquin Valley  
Unified Air Pollution Control District**

**TITLE V MODIFICATION - COMPLIANCE CERTIFICATION FORM**

**I. TYPE OF PERMIT ACTION** (Check appropriate box)

☐ SIGNIFICANT PERMIT MODIFICATION  
☒ MINOR PERMIT MODIFICATION

☐ ADMINISTRATIVE  
AMENDMENT

COMPANY NAME: Forward, Inc. Landfill		FACILITY ID: N-339
1. Type of Organization: <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Sole Ownership <input type="checkbox"/> Government <input type="checkbox"/> Partnership <input type="checkbox"/> Utility		
2. Owner's Name: Forward, Inc. Landfill		
3. Agent to the Owner: Erin Fanning		

**II. COMPLIANCE CERTIFICATION** (Read each statement carefully and initial all circles for confirmation):

- ☒ Based on information and belief formed after reasonable inquiry, the equipment identified in this application will continue to comply with the applicable federal requirement(s).
- ☒ Based on information and belief formed after reasonable inquiry, the equipment identified in this application will comply with applicable federal requirement(s) that will become effective during the permit term, on a timely basis.
- ☒ Corrected information will be provided to the District when I become aware that incorrect or incomplete information has been submitted.
- ☒ Based on information and belief formed after reasonable inquiry, information and statements in the submitted application package, including all accompanying reports, and required certifications are true accurate and complete

I declare, under penalty of perjury under the laws of the state of California, that the forgoing is correct and true:

Erin Fanning  
Signature of Responsible Official

9-12-2013  
Date

Erin Fanning  
Name of Responsible Official (please print)

Environmental Manager  
Title of Responsible Official (please print)